

**UNITED STATES OF AMERICA  
BEFORE THE NATIONAL LABOR RELATIONS BOARD  
REGION 3**

AMAZON.COM SERVICES LLC,	)	
	)	
	)	
Employer,	)	
	)	
and	)	Case No. 03-RC-301507
	)	
AMAZON LABOR UNION	)	
	)	
	)	
Petitioner.	)	
	)	

**AMAZON’S MOTION TO RESCHEDULE HEARING AND  
EXTEND TIME FOR FILING OF STATEMENT OF POSITION**

Pursuant to Section 102.63(a)(1) and (b)(1) of the National Labor Relations Board’s (“NLRB’s” or “Board’s”) Rules and Regulations, the Employer, Amazon.com Services LLC (“Amazon”) moves to extend the time for filing and serving the Statement of Position related to the Petition and to reschedule the date of the hearing in the above-captioned case. Amazon has submitted evidence to Region 3 (the “Region”) to assess the sufficiency of Petitioner’s showing of interest. Amazon requests that the Region complete an investigation of this preclusive issue first, because Petitioner’s failure to submit an adequate showing will determine whether Amazon must submit any kind of response to the Petition.

In support of its Motion, Amazon states as follows:

1. On Wednesday, August 17, 2022, Amazon Labor Union (“ALU” or “Petitioner”) filed a Petition seeking to represent a bargaining unit of “[a]ll hourly full-time and regular part-time fulfillment center associates” at Amazon’s ALB1 facility (“ALB1”). *See* Petition.
2. To support the filing of its Petition, Petitioner alleged that the petitioned-for bargaining unit includes 400 Amazon Associates. In reality, however, the petitioned-for unit

includes a significantly higher number of Associates. On this and other bases, it is highly unlikely that the ALU has met its showing of interest burden to establish that it has the support of 30% or more of current Amazon Associates in the petitioned-for unit.

3. On Friday, August 19, 2022, Amazon sent the Region a letter formally challenging the ALU's showing of interest. The letter explains in detail why the ALU's showing of interest appears legally inadequate and should be verified by the Region.

4. In order to aid in the Region's determination regarding the sufficiency of the unit in Case 03-RC-301507, the Region requested that Amazon provide additional information with which to investigate support for the Petition. On August 22 and 24, 2022, Amazon complied with the Region's requests and provided the requested additional information.

5. Amazon expects that it will take the Region some time to review the submission and to evaluate the sufficiency of the Petitioner's showing of interest.

6. Accordingly, Amazon requests a short extension of time to submit its statement of position in this matter from August 29, 2022, to September 1, 2022, to provide the Region sufficient time to thoroughly review the information provided to assess Petitioner's showing of interest. This is necessary to avoid wasting the time and resources of the Government, Petitioner, and Amazon by going forward with a petition where there is significant doubt as to its sufficiency. Amazon concurrently seeks a continuance of the September 7, 2022 representation hearing to September 9, 2022.

7. An extension of the statement of position and hearing deadlines is warranted because the Region will have to investigate the ALU's showing of interest, and Amazon is actively and in good faith participating in that investigation.

8. Amazon should be granted a short extension to provide its statement of position, and the hearing should be continued, because of the significant prospect that the Region's investigation into the showing of interest may render a statement of position and a representation hearing moot. The Casehandling Manual makes clear that

the purpose of the demonstration of an adequate showing of interest on the part of labor organizations . . . is to determine whether the conduct of an election serves a useful purpose under the statute, i.e., whether there is sufficient employee interest to warrant the expenditure of the Agency's time, effort and resources in conducting an election. This requirement prevents parties with little or no stake in a bargaining unit from abusing the Agency's machinery and interfering with the normal administration of the Act and reasonably assures that a genuine representation question exists.

*Id.* § 11020.

9. Amazon believes that a full and complete investigation into the showing of interest will result in a dismissal of the Petition, absent withdrawal by the ALU. The Region should not have to expend the considerable time and expense required to process a petition seeking representation of hundreds and hundreds of Amazon Associates before the Region has had a meaningful opportunity to fully consider the documents submitted by Amazon and to decide Amazon's request to review Petitioner's showing of interest. In this case, a short extension to the deadlines allows the Region to be "reasonably assure[d] that a genuine representation question exists" as contemplated by the Casehandling Manual and that a substantial number of employees wishes to be represented, as required by the National Labor Relations Act. *Id.*

10. An extension of time is also fair, appropriate, and protects Amazon's Associates privacy rights because Amazon should not be required to release the names and position information for the Associates in the petitioned-for unit to the Petitioner unless and until the Region has determined that the Petitioner has met its legally-required showing of interest.

11. In light of the foregoing, Amazon requests that the Region reschedule the deadline for filing and serving the Statement of Position until noon on September 1, 2022, and reschedule the representation hearing to September 9, 2022.

Respectfully submitted,

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## **CERTIFICATE OF SERVICE**

I hereby certify that a true and exact copy of the foregoing document was electronically filed with the NLRB and was served by electronic mail this 25<sup>th</sup> day of August, 2022 to:

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/s/ Robert Dumbacher  
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Robert Dumbacher